

Andrew Jackson, December 26, 1833, from Correspondence of Andrew Jackson. Edited by John Spencer Bassett.

JACKSON'S NOTES ON CLAY'S CONDEMNATORY RESOLUTIONS.1

1 Dec. 26, 1833, Clay introduced into the Senate a set of resolutions against Jackson for removing the deposits, and after a long debate they were passed Mar. 28, 1834. Jackson sent a protest to the Senate, dated Apr. 15, 1834, which the Senate refused to enter upon its journal. The paper here presented seems to represent Jackson's ideas, set down as soon as Clay's resolutions were introduced. For the preparation of the protest as sent to the Senate see Bassett's *Jackson*, II. 650.

December 26, 1833.

. . . first—is the State Banks, from the Report of the agents, susceptible to be made a Safe depository for the peoples money.

2nd. Is not the corruption Shewn by the report of the Govt. directors with the secrete application by the Bank of the money of the people, with the bold and open stand by the board taken, against the expostulation of the govt. directors, sufficient cause to be assumed for our prompt removal of the deposits.

3rd. If we do not Stamp this course of the Bank with our decided disapprobation now, what excuse can we offer to the people for our inaction on this occasion. Will we not justly lay ourselves under the imputation of tacitly encourageing the Bank in the corruption shewn and misapplication of public money in open violation of its charter—damages 158,842.77.

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Chapman Johnstons and B. W. Leighs resolutions. The President in ordering a removal of deposits has violated the constitution etc. etc. etc.

These are the same gentlemen who on the Seminole question charged Genl Jackson with usurping power and violating the constitution and pending the canvass for President made such a conspicuous denunciation of him, both of which have been shown, as the present will be a tirade of falshood and false colourings.? where were these champions of the constitution when Mr. Crawford was Secretary of the Treasury and who with the advice of the President removed the deposits whenever necessary for the public welfare, that they were silent and did not, from their watchtower, proclaim these acts of Mr. Monroe and Mr. Crawford violations of the constitution and acts of usurpation. those flagrant violations of the constitution have been on all occasions charged by Algernon Sydney² and Chapman Johnston and Henry Clay. The constitution of the U States and charter of the Bank under the administration of Mr. Monroe and Mr. Crawford meant one thing, under the administration of Andrew Jackson quite another thing.

² Pseudonym used by Leigh in a series of letters published in the Richmond Enquirer in 1818–1819 and later published (1830) as a pamphlet entitled, *The Letters of Algernon Sidney in Defence of Civil Liberty and against the Encroachments of Military Despotism*.

By the unfounded denunciation of Mr. Leigh, Henry Clay and Chapman Johnston all acts of Andrew Jackson are unconstitutional. The removal of the deposits by Mr. Crawford by the advice of Mr. Monroe were all right and proper, agreeable to the Bank charter, the constitution and the powers given to the Executive Department under it. But now, the same powers being exercised by Andrew Jackson President and his Secretary of the Treasury are acts of usurpation and a violation of the constitution. will these Gentlemen explain when that instrument was altered, or point to the particular section that has been violated by the P. and S. should they not shew this, the virtuous people will conclude that

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these charges now, as formerly, are based on falshood and malice, arising from the old Federal leaven.

1st. The Bank unconstitutional.

2nd. By the charter the Executive Branch of the Govt., the Sec. of the Treasury invested with the power to remove the deposits, and the sole judge of the propriety of doing so, and his reasons for the act to make known to Congress.

3rd. This power has been exercised by the Secretary of the Treasury Mr. Crawford, without making his reasons known and when called on by Congress, justified by them. The power of the Sec. never having been doubted.

4th. Sec. Ingham with the approbation of the Executive in his correspondence with Mr. Biddle asserted the same power, and assured him that it would be exercised if the conduct of the Bank made it necessary, the power was not then disputed.

5th. The Sages who formed the constitution considered the State Banks the proper and safe depositories or they would have provided another, but instead of providing any other they withheld from Congress power of creating corporations of any kind leaving the State Banks as the only depositories for the funds of the Government.

6th. The conduct of the directors a violation of the charter

7. In purchase of the 3 pr cents, in applying the money of the Stockholders and the U. S. States to Subsidiz[ing] the public presses, interfering with the purity of elections and corrupting the morales of the people and cloathing the P. of the Bank with powers to use without limit the funds for these purposes without accountability and without vouchers.

The reasons given for the removal are sound and Substantial, the funds are safe in the State Banks and all connection with this mammoth of corruption, unconstitutionally created

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ought to be dissolved and the deposits being removed and safe I cannot approve any bill directing their restoration.